

Minute Order

Date: 6/7/2024 Time: 1:30 PM Department: 1 Judge/Comm.: Comm. Martin Tejada
Clerk: L. Densmore Court Attendant: M. Aria Bailiff:
Case No.: 24CH000752 TRO filed/Issued Date: GRANTED

LOS RIOS, COLLEGE v. [X] Present and Sworn Counsel: kristen Caprino
Petitioner [] Not Present Interpreter:

CASSENS, AUSTIN [] Present and Sworn Counsel:
Respondent [X] Not Present Interpreter:

Nature of Proceedings:

- [X] Petition for Permanent Injunction Prohibiting Harassment [] Other:
[] Motion for Reconsideration of the: [] Petitioner [] Respondent
[] Request for Renewal of Permanent Injunction Prohibiting Harassment

Dismissal - Before Hearing:

This matter was dismissed prior to the hearing for the following:

- [] At the request of the Petitioner. [] Non-appearance of Petitioner. [] Non-appearance of both sides.
[] Other:

Minutes: The parties were present as noted above and the Court ordered the following:

- [X] The parties present were informed that a Commissioner is sitting as a temporary Judge.
[] No objections were raised. [] Objections were raised and the matter will be continued/reassigned.

- [] This matter is continued to: at [] 8:30 a.m. [] 1:30 p.m. in Dept. 1 due to:
[] No proof of service [] Pending criminal case [] Pending family law case [] Party request an alternative method
of service [] Denied [] Granted The Court orders alternative method of service:

[] The Temporary Restraining Order issued on the above date is to remain in effect pending the next hearing.

[] No Temporary orders are in effect.

[] Witnesses Sworn and Testified:

[] Referred to Mediation: [] Successful (see Mediation Agreement filed this date). [] Unsuccessful

Modifications Regarding Temporary Restraining Order:

[] The Temporary Restraining Order issued on the above date is to remain in effect until the termination date of
No further hearing required.

[] The Temporary Restraining Order is modified to a conduct only order. No stay away orders are in place.

[] Pending the next hearing. [] Until the termination date of No further hearing is required.

- 1. [] The restrained party shall not harass, attack, strike, threaten, assault (sexually or otherwise), hit,
abuse, stalk, molest, destroy personal property, or disturb the peace of the protected
[] person's [] person's address or location.
2. [] The restrained party shall not contact (directly or indirectly) the protected [] person [] person's in
any way, including but not limited to, in person, by telephone, in writing, by public or private email,
by interoffice mail, by e-mail, by text message, by fax or by other electronic means.
3. [] The restrained party shall not take any action to obtain the protected [] person's [] person's address or location.

[] The Temporary Restraining Order is modified to include a stay away order.

[] Pending the next hearing [] Until the termination date of No further hearing is required.

- 1. [] The restrained party shall stay at least ___ yards away from the protected [] person [] persons and their:
[] Home [] Job [] School [] Vehicle [] School of protected person's children.
[] Place of childcare of the protected person's children.
[] Other:

Disposition/Outcome:

- [X] Petition [] Motion [] Request - Granted, see Restraining Order After Hearing (form CH-130) issued this date.
[] Petition [] Motion [] Request - Denied.
Petition [] Motion [] Request - Dismissed.

Other Orders: 3 years

Proof of Service

[X] The protected person is responsible for having this Minute Order and CH-130, CH-630, or CH-730 either served [] personally or
[] by mail on the restrained person. A proof of service must be filed with the court. [] A copy of the Order will be mailed to Petitioner
to provide service.

[] No further service is needed.

[] A copy of the Order will be mailed to all parties. [X] A copy of the Order was provided to the restrained person in open court.



Comm. Martin Tejada
Judge/Comm. of the Superior Court

It is so ordered.

Dated: 6/7/2024

Clerk stamps date here when form is filed.

FILED / ENDORSED JUN 7 2024 By J.L. DENSMORE Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of Sacramento 720 9th Street Sacramento, CA 95814

Court fills in case number when form is filed.

Case Number: 24 CH000 752

1 Petitioner (Employer)

a. Name: Los Rios Community College District Lawyer for Petitioner (if any, for this case) Name: Kristen Caprino State Bar No.: 306815 Firm Name: Johnson Schachter & Lewis b. Your Address (If you have a lawyer, give your lawyer's information.) Address: 1545 River Park Drive, Suite 204 City: Sacramento State: CA Zip: 95815 Telephone: 916-921-5800 Fax: 916-921-0247 Email Address: kristen@jssl-law.com

2 Employee (Protected Person)

Full Name: [Redacted]

3 Respondent (Restrained Person)

(Give all the information you know. Information with a star (*) is required to add this order to the California police database. If age is unknown, give an estimate.)

*Full Name: Austin Cassens *Age: 19 Date of Birth: [Redacted] *Race: White Height: 5'11" Weight: 141 lbs Hair Color: Brown Eye Color: Brown *Gender: [X] M [] F [] Nonbinary Home Address: [Redacted] City: Sacramento State: CA Zip: [Redacted] Relationship to Protected Person: Respondent is a student at Sacramento City College

4 [X] Additional Protected Persons

In addition to the employee, the following family or household members or other employees are protected by the temporary orders indicated below:

Table with 5 columns: Full Name, Gender, Age, Household Member?, Relation to employee. Contains two rows of redacted information.

[] Additional protected persons are listed at the end of this Order on Attachment 4.

5 Expiration Date

This Order, except for any award of lawyer's fees, expires at

Date: 6-7-2027 Time: midnight [] a.m. [] p.m.

If no expiration date is written here, this Order expires three years from the date of issuance.

This is a Court Order.

6 Hearing

- a. There was a hearing on (date): _____ (time): 1:30pm in Dept.: 1 Room: _____
(Name of judicial officer): Martin Tejada made the orders at the hearing.
- b. These people were at the hearing:
- (1) The petitioner/employer (name): Kristen Caprino
- (2) The lawyer for the petitioner/employer (name): _____
- (3) The employee (4) The lawyer for the employee (name): _____
- (5) The respondent (6) The lawyer for the respondent (name): _____
- Additional persons present are listed at the end of this Order on Attachment 6b.
- c. The hearing is continued. The parties must return to court on (date): _____ at (time): _____.

To the Respondent:

The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

7 Personal Conduct Orders

- a. You are ordered **not** do the following things to the employee
 and to the other protected persons listed in (4):
- (1) Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.
- (2) Commit acts of violence or make threats of violence against the person.
- (3) Follow or stalk the person during work hours or to or from the place of work.
- (4) Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by email, by text message, by fax, or by other electronic means.
- (5) Enter the person's workplace.
- (6) Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) Other (specify):
 Other personal conduct orders are attached at the end of this Order on Attachment 7a(7).
Respondent may not contact any employee of the Los Rios Community College District except for the legitimate business purpose of discussing discipline or obtaining transcripts. Any such conduct must be civil.
- b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.

8 Stay-Away Orders

a. You **must** stay at least 100 yards away from (check all that apply):

- (1) The employee.
- (2) Each other protected person listed in (4).
- (3) The employee's workplace.
- (4) The employee's home.
- (5) The employee's school.
- (6) The employee's children's school.
- (7) The employee's children's place of child care.
- (8) The employee's vehicle.
- (9) Other (specify):
Any campus, office, or center of the Las Rios Community College District; the homes of Additional Protected person in item 4

b. This stay-away order does not prevent you from going to or from your home or place of employment.

9 No Firearms (Guns), Firearm Parts, or Ammunition

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited items listed below in b.

b. **Prohibited items are:**

- (1) Firearms (guns);
- (2) Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
- (3) Ammunition.

c. If you have not already done so, you must:

- Within 24 hours of being served with this Order, sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) and firearm parts in your custody or control or that you possess or own.
- File a receipt with the court within 48 hours of receiving this Order that proves that your firearms (guns) and firearm parts have been turned in, sold, or stored. (You may use *Receipt for Firearms and Firearm Parts* (form WV-800) for the receipt.)

- d. The court has received information that you own or possess a firearm (gun), firearm parts, or ammunition.
- e. The court has made the necessary findings and applies the firearm relinquishment exemption under Code of Civil Procedure section 527.9(f). Under California law, the person in (3) is not required to relinquish this firearm (specify make, model, and serial number of firearm(s)): _____

The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the person in (3) may be subject to federal prosecution for possessing or controlling a firearm.

This is a Court Order.



10 **Costs**

You must pay the following amounts for costs to the petitioner:

| <u>Item</u> | <u>Amount</u> | <u>Item</u> | <u>Amount</u> |
|-------------|---------------|-------------|---------------|
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |

Additional amounts are attached at the end of this Order on Attachment 10.

11 **Other Orders** (*specify*):

Additional orders are attached at the end of this Order on Attachment 11.

To the Person in 1:

12 **Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (*Check one*):

- a. The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c. By the close of business on the date that this Order is made, the petitioner or the petitioner’s lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

Additional law enforcement agencies are listed at the end of this Order on Attachment 12.

13 **Service of Order on Respondent**

- a. The respondent personally attended the hearing. No other proof of service is needed.
- b. The respondent did not attend the hearing.
 - (1) Proof of service of form WV-110, *Temporary Restraining Order*, was presented to the court. The judge’s orders in this form are the same as in form WV-110 except for the expiration date. The respondent must be served with this Order. Service may be by mail.
 - (2) The judge’s orders in this form are different from the temporary restraining orders in form WV-110. Someone—but not the petitioner or anyone protected by this order—must personally serve a copy of this Order on the respondent.

This is a Court Order.



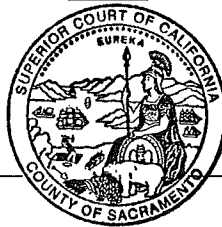
Case Number:

14 No Fee to Serve (Notify) Restrained Person

The sheriff or marshal will serve this Order without charge because the Order is based on a credible threat of violence or stalking.

15 Number of pages attached to this Order, if any: _____

Date: 6/7/24



Martin E. Tejada

Judicial Officer

MARTIN E. TEJEDA

Warning and Notice to the Respondent:

You Cannot Have Firearms (Guns), Firearm Parts, or Ammunition

Unless item 9e is checked, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get any prohibited items listed in item 9b on page 3 while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) and firearm parts that you have or control as stated in item **9** above. The court will require you to prove that you did so.

Instructions for Law Enforcement

Enforcing the Restraining Order

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). Agencies are encouraged to enter violation messages into CARPOS. If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

Start Date and End Date of Orders

This Order *starts* on the date next to the judge's signature on page 5 and *ends* on the expiration date in item **5** on page 1.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

This is a Court Order.



Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *Emergency Protective Order (EPO)*: If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. *No-Contact Order*: If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item 7a(4) is an example of a no-contact order.
3. *Criminal Protective Order (CPO)*: If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2) and 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. *Civil Restraining Orders*: If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.



(Clerk will fill out this part.)
—Clerk's Certificate—

I certify that this *Workplace Violence Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date: 6/7/24 Clerk, by [Signature], Deputy

This is a Court Order.